



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2306611
Applicant Name: Doug Hannam for Dolphin Custom Homes
Address of Proposal: 14334 Fremont Avenue North

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two parcels of land. Proposed parcel sizes are:
A) 6,986.4 sq. ft. and B) 6,986.4 sq. ft. Existing single family residence to be removed.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into two parcels.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction

BACKGROUND DATA

Site & Area Description

The 13,972.8 square foot (sq. ft.) project site is located in a Single Family residential zone with a minimum lot size of 7,200 square feet (SF 7200), located near the Seattle city limits. The parcel is located on the east side of Fremont Avenue North, with approximately 100' of street frontage. The subject lot slopes gently downward from the front of the property (west) to the rear area (east). Fremont Avenue North is a paved roadway with no sidewalks, curbs nor gutters on both

sides of the street. It is not located within any identified or designated Environmentally Critical Area. Fremont Avenue North is classified as Non-arterial Street, pursuant to SMC Chapter 23.53. The surrounding properties and blocks are also zoned SF 7200 except the parcels that abut the subject site's east property line. This property is zoned Lowrise 3 (L-3). Development in the area consists of a variety one and two-story single-family houses of varying age and architectural style on a variety of lot sizes and an apartment complex all consistent with the zoning designations.

Proposal

The proposal is to subdivide one parcel of land into two (2) lots. Proposed lot areas are indicated in the summary above. Proposed parcels A and B will have direct access to Fremont Avenue North. The existing single family residence will be demolished pursuant to this subdivision application.

The subject of this analysis and decision is only the proposed division of land.

Public Comment

During the public comment period which ended November 5, 2003, DPD received no written comments.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Building Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for single-family residential with a minimum lot size of 7,200 square feet. The allowed use in a single family zone is one dwelling unit per lot, with accessory dwelling units meeting the provisions of SMC 23.44.041 notwithstanding. Maximum lot coverage is 35%. Front setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, whichever is less. The minimum side yard setbacks are five (5) feet. Minimum rear yard setbacks are twenty-five (25) feet or if lot depth is less than one-hundred twenty five feet (125'), 20% of lot depth.

This short subdivision was submitted on the basis of application of the 75% - 80% rule pursuant to SMC 23.44.010.B.1.b. By subdivision, lots in a single family zone may be created which are "[a]t least seventy-five (75) percent of the minimum required lot area and [are] at least eighty (80) percent of the mean lot area of the lots on the same block face within which the lot will be located and within the same zone". Seventy-five (75) percent of the minimum lot size of the SF 7200 zone is 5,400 square feet. Eighty percent of the mean lot sizes of the lots on the subject block face between Fremont Avenue North and the parcel addressed as 14316 Fremont Avenue North at the end of the dead end street, exclusive of the subject lot and the lot immediately south of the subject lot, are 6,812.48 square feet, according to information submitted in the application. The proposed lot areas of Lots A and B, 6,986.4 and 6,986.4 square feet respectively, are greater than eighty percent of the mean lot area of the lots on the same block face (6,812.48 sq. ft.) and greater than seventy-five percent of the minimum required lot area (5,400 sq. ft.). Thus, the proposed lot configuration meets the exception to the minimum lot area as contained in SMC 23.44.010(B)(1)(b).

The lots created by this proposed division of land will conform to all development standards of the SF 7200 zoning designation. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Proposed parcels A and B will have direct vehicle access to Fremont Avenue North. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and does not require an easement to provide for electrical facilities and service to the proposed lots. This short plat provides for adequate access for vehicles, utilities, and fire protection.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on October 8th, 2003 (WAC ID No. 2003-1102).

The existing structure located upon the proposed short plat is connected by means of a single side sewer to an 8-inch public sanitary sewer (PSS) located in Fremont Avenue North.

There is not a publicly maintained drainage system in the vicinity of the proposed short plat. Additionally, the mapped soil type is Vashon Till, which limits the effectiveness of using infiltration as a means to manage stormwater runoff. But, since there are no adjoining downslope properties, the limited effectiveness of infiltration is not likely to be a significant problem. A standard drainage control plan will be required prior to issuance of any related building permit.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.

6. *Is designed to maximize the retention of existing trees;*

There are fifteen (15) trees located on the site. Most of these trees can be preserved, depending upon the location of any future construction, the extent of the root systems and the overall health of the trees. Two (2) trees will likely be removed from parcel A, and possibly three (3) trees will be removed from parcel B, as the trees are located on or near the buildable area out of the required yards. Parcel A has a 26" Western White Pine located near the northeast area of Parcel A that is considered exceptional and must be protected and retained. Based on a site inspection conducted by the City Forrester, he further recommends that the 33" Western White Cedar and the 27" Western Red Cedar on Parcel B be considered for preservation based on their size and location. Future

construction will be subject to the provisions of SMC 23.44.008, 25.11.050 and 25.11.060 which sets forth tree planting and exceptional tree protection requirements on single family lots.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

This short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. Insert the following on the face of the plat; "Tree preservation and planting options and landscaping requirements of Seattle Municipal Code 23.44.008 require trees for new single family development."
4. Identify all trees (26" White Western Pine) that require tree protection per the Arborist report on the face of the plat.
5. Specify the location, description and removal of all trees at least 6" in diameter measured 4.5' above the ground, with correct species per Arborist report indicated on the face of the plat.

Prior to the Individual Transfer or Sale of Lots

6. Legally demolish or remove the existing structure (single family residence) prior to sale, purchase, or other ownership transfer of any of the parcels.

After Recording and Prior to Issuance of a Building Permit

7. Attach a copy of the recorded subdivision to all future building permit application plans.
8. Attach a copy of the approved tree protection plan to all future building permits. Plans should meet all requirements per an Arborist report. Final design must be reviewed by City of Seattle Forester prior to final approval.
9. A no-protest agreement for future improvements to Fremont Avenue North shall be signed and recorded with the King County Department of Records and Elections for future construction on parcels A and B

Signature: _____ (signature on file) Date: March 4, 2004
Tamara Garrett, Land Use Planner
Department of Planning and Development

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